

AMENDMENTS TO LR 12CA

1 1. Insert the following new sections:

2 "Sec. 2. If the proposed amendment to the Constitution of
3 Nebraska in section 1 of this resolution is submitted to the
4 electors at a special election on May 9, 2006, then at the general
5 election in November 2006 the following proposed amendment to the
6 Constitution of Nebraska shall be submitted to the electors of the
7 State of Nebraska for approval or rejection:

8 To amend Article III, section 19, and add a new section
9 31 to Article III:

10 III-19 (1) The Legislature shall never grant any extra
11 compensation to any public officer, agent, or servant after the
12 services have been rendered nor to any contractor after the
13 contract has been entered into, except that retirement benefits of
14 retired public officers and employees may be adjusted to reflect
15 changes in the cost of living and wage levels that have occurred
16 subsequent to the date of retirement.

17 (2) Except as otherwise provided by Article III, section
18 31, of this Constitution, the ~~The~~ compensation of any public
19 officer, including any officer whose compensation is fixed by the
20 Legislature, shall not be increased or diminished during his or her
21 term of office, except that when there are members elected or
22 appointed to ~~the Legislature or~~ the judiciary, or officers elected
23 or appointed to a board or commission having more than one member,
24 and the terms of such members commence and end at different times,

1 the compensation of all members ~~of the Legislature,~~ of the
2 judiciary, or of such board or commission may be increased or
3 diminished at the beginning of the full term of any member thereof.

4 (3) Nothing in this section shall prevent local governing
5 bodies from reviewing and adjusting vested pension benefits
6 periodically as prescribed by ordinance.

7 (4) The surviving spouse of any retired public officer,
8 agent, or servant, who has retired under a pension plan or system,
9 shall be considered as having pensionable status and shall be
10 entitled to the same benefits which may, at any time, be provided
11 for or available to spouses of other public officers, agents, or
12 servants who have retired under such pension plan or system at a
13 later date, and such benefits shall not be prohibited by the
14 restrictions of this section or of Article XIII, section 3, of the
15 Constitution of Nebraska this Constitution.

16 III-31 (1) There is hereby created the Ethics and
17 Compensation Review Commission. The members of the commission
18 shall be appointed by the Governor. There shall be two members
19 appointed from each congressional district and three members from
20 the state at large. Members of the commission shall serve for
21 terms of six years, except that of the members initially appointed,
22 one from each of the congressional districts and one of the
23 at-large members shall be appointed for terms of two years. No
24 more than five members of the commission may belong to the same
25 political party at any one time, and no elected official or
26 employee of the state or any political subdivision or registered
27 lobbyist may serve as a member. The term of an existing member

1 shall terminate on the date a new member is appointed. A member
2 may serve no more than two terms on the commission and shall
3 receive no compensation for the performance of his or her duties
4 but may be reimbursed for actual and necessary expenses.

5 (2) The Ethics and Compensation Review Commission shall
6 prepare and present to the Legislature prior to November 1, 2007, a
7 recommended legislative code of ethics which may be adopted by the
8 Legislature. The code of ethics shall include procedures for
9 implementing such code. Beginning three years after the initial
10 adoption of the recommended code of ethics, the Legislature may
11 modify the code of ethics as it deems necessary or advisable to
12 effectuate Article III, sections 10 and 16, of this Constitution.
13 The Legislature shall maintain a code of ethics in its permanent
14 rules.

15 (3) After the Ethics and Compensation Review Commission
16 has presented a code of ethics to the Legislature and a code of
17 ethics has been adopted as recommended as part of the Legislature's
18 permanent rules, the commission shall review compensation for
19 members of the Legislature and submit a report to the Governor and
20 the Legislature recommending any adjustment to such compensation
21 the commission deems appropriate. Notwithstanding the compensation
22 limitation in Article III, section 7, of this Constitution, the
23 Legislature may by legislative bill approve, disapprove, or reduce
24 any recommended adjustment but may not increase the recommended
25 adjustment, and such adjustments shall not become effective until
26 so approved by the Legislature and, when so approved, shall become
27 effective three calendar months following the end of the

1 legislative session in which the adjustments were approved. The
2 commission shall review and submit a report recommending any
3 adjustment to compensation every fourth year and shall review and
4 submit a recommendation with respect to changes in the legislative
5 code of ethics every fourth year after the submission of the
6 original recommendation.

7 Sec. 3. This section becomes operative on December 1,
8 2006. If the proposed amendment in section 1 of this resolution is
9 submitted to the electors at the general election in November 2006,
10 then at the general election in November 2008 the following
11 proposed amendment to the Constitution of Nebraska shall be
12 submitted to the electors of the State of Nebraska for approval or
13 rejection:

14 To amend Article III, section 19, and add a new section
15 31 to Article III:

16 III-19 (1) The Legislature shall never grant any extra
17 compensation to any public officer, agent, or servant after the
18 services have been rendered nor to any contractor after the
19 contract has been entered into, except that retirement benefits of
20 retired public officers and employees may be adjusted to reflect
21 changes in the cost of living and wage levels that have occurred
22 subsequent to the date of retirement.

23 (2) Except as otherwise provided by Article III, section
24 31, of this Constitution, the ~~The~~ compensation of any public
25 officer, including any officer whose compensation is fixed by the
26 Legislature, shall not be increased or diminished during his or her
27 term of office, except that when there are members elected or

1 appointed to ~~the Legislature or~~ the judiciary, or officers elected
2 or appointed to a board or commission having more than one member,
3 and the terms of such members commence and end at different times,
4 the compensation of all members ~~of the Legislature,~~ of the
5 judiciary, or of such board or commission may be increased or
6 diminished at the beginning of the full term of any member thereof.

7 (3) Nothing in this section shall prevent local governing
8 bodies from reviewing and adjusting vested pension benefits
9 periodically as prescribed by ordinance.

10 (4) The surviving spouse of any retired public officer,
11 agent, or servant, who has retired under a pension plan or system,
12 shall be considered as having pensionable status and shall be
13 entitled to the same benefits which may, at any time, be provided
14 for or available to spouses of other public officers, agents, or
15 servants who have retired under such pension plan or system at a
16 later date, and such benefits shall not be prohibited by the
17 restrictions of this section or of Article XIII, section 3, ~~of the~~
18 ~~Constitution of Nebraska~~ this Constitution.

19 III-31 (1) There is hereby created the Ethics and
20 Compensation Review Commission. The members of the commission
21 shall be appointed by the Governor. There shall be two members
22 appointed from each congressional district and three members from
23 the state at large. Members of the commission shall serve for
24 terms of six years, except that of the members initially appointed,
25 one from each of the congressional districts and one of the
26 at-large members shall be appointed for terms of two years. No
27 more than five members of the commission may belong to the same

1 political party at any one time, and no elected official or
2 employee of the state or any political subdivision or registered
3 lobbyist may serve as a member. The term of an existing member
4 shall terminate on the date a new member is appointed. A member
5 may serve no more than two terms on the commission and shall
6 receive no compensation for the performance of his or her duties
7 but may be reimbursed for actual and necessary expenses.

8 (2) The Ethics and Compensation Review Commission shall
9 prepare and present to the Legislature prior to November 1, 2009, a
10 recommended legislative code of ethics which may be adopted by the
11 Legislature. The code of ethics shall include procedures for
12 implementing such code. Beginning three years after the initial
13 adoption of the recommended code of ethics, the Legislature may
14 modify the code of ethics as it deems necessary or advisable to
15 effectuate Article III, sections 10 and 16, of this Constitution.
16 The Legislature shall maintain a code of ethics in its permanent
17 rules.

18 (3) After the Ethics and Compensation Review Commission
19 has presented a code of ethics to the Legislature and a code of
20 ethics has been adopted as recommended as part of the Legislature's
21 permanent rules, the commission shall review compensation for
22 members of the Legislature and submit a report to the Governor and
23 the Legislature recommending any adjustment to such compensation
24 the commission deems appropriate. Notwithstanding the compensation
25 limitation in Article III, section 7, of this Constitution, the
26 Legislature may by legislative bill approve, disapprove, or reduce
27 any recommended adjustment but may not increase the recommended

1 adjustment, and such adjustments shall not become effective until
2 so approved by the Legislature and, when so approved, shall become
3 effective three calendar months following the end of the
4 legislative session in which the adjustments were approved. The
5 commission shall review and submit a report recommending any
6 adjustment to compensation every fourth year and shall review and
7 submit a recommendation with respect to changes in the legislative
8 code of ethics every fourth year after the submission of the
9 original recommendation."

10 2. On page 1, line 3, strike "the general election in
11 November 2006" and insert "a special election on May 9, 2006,".

12 3. On page 2, after line 22 insert the following:

13 "A constitutional amendment to create the Ethics and
14 Compensation Review Commission, to change provisions
15 relating to compensation of members of the Legislature,
16 and to provide for the adoption of a legislative code of
17 ethics.

18 For

19 Against.

20 A constitutional amendment to create the Ethics and
21 Compensation Review Commission, to change provisions
22 relating to compensation of members of the Legislature,
23 and to provide for the adoption of a legislative code of
24 ethics.

25 For

26 Against."

27 4. Renumber the remaining section accordingly.